

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

July 13, 2022  
6:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Barnard, Beakman, Devine, Fogle, Kantor, and Pasceri.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**071322.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman Fogle, the minutes of the Regular Meeting of June 22, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**FROM THE MAYOR**

**Appointments:**

7/8/22        Demetrius J. Grant, 102 Bridlewood Drive, Lockport, NY 14094 – appointed as Senior Account Clerk for the Treasurer's Office. Effective June 29, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

7/8/22        Danielle K. Lawrence, 82 Saxton Street, Lockport, NY 14094 – appointed as Senior Account Clerk for the Building Inspection Department. Effective June 29, 2022. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

7/11/22 Ashley C. Bretherton, 172 Erie Street, Lockport, NY 14094 – appointed as Payroll and Benefits Coordinator for the City of Lockport Accounting Department. Effective July 11, 2022. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

7/11/22 Emily R. Hamilton, 59 Old Lyme Drive, Williamsville, NY 14221 – appointed to Industrial Pre-Treatment Coordinator for the City of Lockport Wastewater Treatment Plant. Effective July 11, 2022. Said appointment is provisional and subject to the City of Lockport Civil Service Rules and Regulations.

7/11/22 Elizabeth R. Ellis, 63 East Park Drive, Lockport, NY 14094 – appointed to Wastewater Operator trainee for the City of Lockport Wastewater Treatment Plant. Effective July 11, 2022. Said appointment is provisional and subject to the City of Lockport Civil Service Rules and Regulations.

7/11/22 Jennifer L. Previte, 54 Regent Street Lockport, NY 14094 – appointed as Staff Accountant for the City of Lockport Accounting Department. Effective July 11, 2022. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service Rules and Regulations.

7/11/22 Paul K. Oates, 623 Market Street, Lockport, NY 14094 – appointed as the City Clerk of Lockport, NY as of July 1, 2022. Said term expires June 30, 2027.

Received and filed.

### **FROM THE CITY CLERK**

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

#### **Communications:**

6/8/22 Erin R. Zych, Recovery Peer Services Coordinator for Independent Living of Niagara County – request permission to use Veteran’s Park for the annual Lockport Overdose Awareness Day Rally on August 31<sup>st</sup>, 2022.

6/17/22 Jessica McIntyre, 5 Bright Street, Lockport, NY, on behalf of Cure SMA – request permission to use Widewaters Park at Nelson Goehle Marina for ‘Bella’s Walk for Cure SMA’ on August 6<sup>th</sup>, 2022.

6/30/22 Don Jablonski, Director of Niagara County Employment & Training – request permission to use Ida Fritz Park on August 10<sup>th</sup> for a Career Fair.

7/1/22 Edla Collora, Harrison Place Site Coordinator – request permission to close the sidewalk adjacent to Harrison Place at 190 Walnut, through October 30, 2022, while exterior façade work is completed.

7/12/22 Clarence K. Burkwit, Hydraulic Race Company, Inc. – request the city investigate an underground water leak just west of the north abutment of the Pine Street bridge.

Referred to Committee of the Whole.

**Notice of Complaint:**

6/29/22 28 Morrow Avenue – tree

Referred to the Director of Highways, Parks and Water Distribution

**MOTIONS & RESOLUTIONS**

**071322.2**

By Alderman Beakman:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on July 14, 2022 as follows:

General Fund	Fund A	\$198,521.38
Water Fund	Fund FX	\$40,649.85
Sewer Fund	Fund G	\$60,822.05
Capital Projects	Fund H	\$65,291.68
Self-Insurance	Fund MS	\$75,505.84
Refuse & Recycle	Fund CL	\$260.36
Worker's Comp	Fund S	\$7,500.00
Payroll	Pay Date 6/16	\$496,473.62

Seconded by Alderman Devine and adopted. Ayes 6.

**071322.3**

By Alderman Beakman:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Daniel Barrancotta	10	Police Officer

Seconded by Alderman Devine and adopted. Ayes 6.

**071322.4**

By Alderman Kantor:

Whereas, August 31<sup>st</sup> has been recognized as International Overdose Awareness Day since 2001, and is the world’s largest annual campaign to end overdose; and

Whereas, an Overdose Awareness Rally in Lockport is planned, offering outreach for agencies, programs and/or services that support people with substance use disorder/addiction as well as NARCAN training; and

Whereas, speakers will be attending to share their experiences working with people who have overdosed; now, therefore, be it

Resolved, that pursuant to their request, the organizers of the Overdose Awareness Rally are hereby granted permission to hold said event at Veterans Memorial Park on East Avenue in Lockport on Wednesday, August 31<sup>st</sup>, 2022 from 5pm until 8pm; and be it further

Resolved, that permission is subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

By Alderman Devine:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Barnard and adopted. Ayes 6.

**071322.5**

By Alderman Devine:

**City of Lockport  
Local Law No. 4 of the year 2022**

**A LOCAL LAW to amend Section 156 of the Lockport City Code – Roll Off Containers**

BE IT ENACTED by the Common Council of the City of Lockport, New York as follows:

**Chapter 156 – Roll-Off Containers**

**§ 156-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**Code Enforcement Officer**

The Code Enforcement Officer/Chief Building Inspector appointed pursuant to Lockport Municipal Code Chapter 66, Section 3 (b)

**Container Permit**

The permit issued by the Code Enforcement Officer to place a roll-off container within the City Right of Way.

**§ 156-2. Permit required.**

It shall be unlawful and an offense against this chapter for any person to place or caused to be placed a roll-off container upon any public street or right of way within the City without first obtaining a permit therefor in accordance with the requirements prescribed by this chapter.

**§ 156-3. Rules and regulations.**

A. A container permit shall be prominently displayed on each and every container to be placed within the City Right of Way.

B. The street upon which any roll-off container is to be placed must meet a minimum width requirement of 26 feet, curb to curb.

C. The roll-off container must be placed parallel to the curb with the street side of the container not more than eight feet six inches from the nearest curb adjacent to the container.

D. The roll-off container shall only be placed on the side of the street that is designated for parking and shall not be placed within ten feet of a neighboring driveway.

E. Roll-off containers shall have a permanent installation of not less than 16 square feet of diagonal reflectorized striping material on each and every side of the roll-off container and shall also have stenciled or otherwise printed thereon, in English letters at least two inches in height, the name, address and telephone number of the owner-  
lessor.

F. The roll-off container shall not obstruct any part of the sidewalk or the sidewalk area adjacent to the street, and the contents thereof shall be emptied and disposed of upon reaching the container's waterline.

G. The owner-lessor shall be responsible for the repair of any street, sidewalk and curb damage caused by the placement, movement or removal of any roll-off container.

H. The Code Enforcement Officer shall receive at least 48 hours' prior written notice from the owner-lessor before a roll-off container or dumpster is placed upon any street located within the City or on any City owned property.

I. The Code Enforcement Officer shall receive written notice from the owner-lessor within 48 hours of the removal of a roll-off container or dumpster from a street located within the City or on any City owned property.

J. The Code Enforcement Officer reserves the right to refuse the placement of any roll-off container from any street location if, in his judgment, he determines that the

placement of any roll-off container at any street location shall constitute an obstruction or public nuisance or a hazard because of contour, narrow width, traffic or other highway conditions peculiar to the street at or near the proposed location.

K. No roll-off container or dumpster shall be permitted to remain in a particular location for a period of time exceeding 7 days. The container permit application may be renewed for an additional 7 days by notifying the Code Enforcement Officer in writing and submitting an additional container permit fee. The permit may only be renewed once.

L. There shall be a \$25 placement fee for each roll-off container or dumpster that is placed upon any street located within the City or on any City owned property. This fee covers a seven-day period.

#### **§ 156-4. Application for permit.**

The Code Enforcement Officer may issue a container permit for the use of a roll-off container upon any City streets or other City property, prior to the placement thereof, upon written application by the owner-lessor in accordance with the following terms and conditions.

A. Each permit shall be of seven days duration and shall require a written application to renew for a subsequent seven days.

B. Each application for a container permit hereunder shall be accompanied by a certificate of insurance from the owner-lessor indicating public liability coverage, insuring the City of Lockport in an amount not less than \$1,000,000.

C. A filing fee in the amount of \$25 shall accompany each application for a container permit hereunder.

D. The owner-lessor shall also be responsible to the Code Enforcement Officer for providing not only its own name and address in the original application and renewals thereof but in providing the name and address of the lessee for each and every rental of a roll-off container or dumpster.

#### **§ 156-5. Removal of roll-off containers.**

A. The Code Enforcement Officer reserves the right to remove a roll-off container from any street location upon violation of any section of this chapter or if, in his judgment, he determines that the placement of any roll-off container at any street location shall constitute an obstruction or public nuisance or hazard because of contour, narrow width, traffic or other highway conditions peculiar to the street at or near the roll-off container location.

B. Notice

1. Upon determination that the provisions of Subsection A herein have been violated, the Code Enforcement Officer shall cause to be served a written notice upon the owner-lessor that such roll-off container must be removed. The owner-lessor shall have two days from the date of the written notice to remove the roll-off container.
2. The written notice shall be by personal service or certified mail, postage paid, returned receipt requested, and addressed to such owner-lessor's last known address, and, if by certified mail, a copy of the notice shall be posted on the roll-off container.

C. In the event that the owner-lessor fails to remove the roll-off container within the time period stated in Subsection B herein, the Code Enforcement Officer shall cause such roll-off container to be removed. The owner-lessor shall be liable to the City of Lockport for any costs incurred in such removal and subsequent storage of such roll-off container, together with any dumping charge to remove any material in the roll-off container.

#### **§ 156-6. Enforcement.**

The Code Enforcement Officer shall have authority to enforce the provisions of this chapter and issue appearance tickets for offenses against this chapter.

#### **§ 156-7. Penalties for offenses.**

A. Any person committing an offense against this chapter or any section or provision thereof shall be guilty of a violation punishable by a fine not exceeding \$250 or by imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

B. Each day of continued violation shall constitute a separate offense.

C. In addition to the penalties stated herein, this chapter may be enforced by civil action, including an injunction, in a court of competent jurisdiction for violations of this chapter.

#### **§ 156-8. Severability.**

If any clause, sentence, paragraph, subdivision, section or part of this chapter is adjudged invalid by a court of competent jurisdiction, the judgment shall not affect, impair or invalidate the remainder of this chapter but shall be confined in its operation to the clause, sentence, paragraph, section or part of this chapter that shall be directly involved in the controversy in which such judgment shall have been rendered.

This law shall be effective upon filing with the Office of the Secretary of State.

Seconded by Alderman Pasceri. A roll call vote was taken which resulted as follows:

Alderman Barnard	VOTING	Yes
Alderman Beakman	VOTING	Yes
Alderman Devine	VOTING	Yes
Alderman Fogle	VOTING	Yes
Alderman Kantor	VOTING	Yes
Alderman Pasceri	VOTING	Yes

The Local Law was thereupon declared duly adopted.

**071322.6**

By Alderman Beakman:

Whereas, the mission of Cure SMA (Spinal Muscular Atrophy) is to lead the way in eradicating a leading genetic cause of death for infants; and

Whereas, a fundraiser has been organized that will include a walk aimed at helping to raise money for Cure SMA, in honor of a local child who suffers from the disease; and

Whereas, the fundraiser will include the walk, basket raffles, and a Kid’s Zone with family-friendly activities; now, therefore, be it

Resolved, that pursuant to their request, Cure SMA is hereby granted permission to hold, “Bella’s Walk for Cure SMA” at Widewaters Park at Nelson Goehle Marina on Saturday, August 6, 2022 from 10am until 4pm, subject to Cure SMA filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Barnard and adopted. Ayes 6.

**071322.7**

By Alderman Kantor:

Whereas, General City Law 20(3) authorizes the City to accept donations from individuals or organizations, and to use said donations per the restrictions placed on them by the donor, regardless of minimum value; now, therefore, be it

Resolved, that the Mayor and Common Council do hereby extend thanks and appreciation to the Tioga Club for the gift of \$500 to be used for July 4<sup>th</sup>, 2022 weekend activities.

Seconded by Alderman Barnard and adopted. Ayes 6.

**071322.8**

By Alderman Fogle:

Whereas, resolution 012622.8 gave Soccer Shots Buffalo permission to conduct a Spring and Summer Soccer Program on Saturdays at Altro Park from April 23<sup>rd</sup> until September 3<sup>rd</sup>, 2022; and



Whereas, Soccer Shots Buffalo wishes to continue that youth soccer program for two additional months; now, therefore, be it

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Fall Soccer Program on Saturdays at Altro Park, from 8:30am until 11am, September 10<sup>th</sup> until November 12<sup>th</sup>, 2022, Soccer Shots Buffalo having already provided the City Clerk with a certificate of insurance valid through June 1<sup>st</sup>, 2023.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**071322.9 – Retain Freed Maxick to Perform a Review of Proposed Ambulance Service - WITHDRAWN**

**071322.10**

By Alderman Beakman:

Whereas, the City of Lockport desires to renew the lease for the Lockport Gas & Electric Building with Historic Lockport Mill Race, Inc. (HLMR), a not-for-profit corporation; and

Whereas, the term shall be a three-year term, retroactive to July 1, 2021 with an option to renew for five years with approval of the City; and

Whereas, the agreement will allow HLMR to further develop the property by obtaining grants or other funding; and

Whereas, an advisory board shall be established to create goals, objectives and solutions to the operation and marketing of the property; and

Whereas, the advisory board shall only have the authority to advise the City; now, therefore, be it

Resolved, that the City of Lockport approves the attached Lease agreement effective July 1, 2022.

Seconded by Alderman Kantor and adopted. Ayes 6.

**071322.11**

By Alderman Fogle:

Resolved, that pursuant to their request, the Niagara County Employment & Training Department is hereby granted permission to use Ida Fritz Park on Wednesday, August 10<sup>th</sup>, 2022 from 10 a.m. to 12 noon, with a rain date of Wednesday, August 17<sup>th</sup>, to host a Career Fair featuring various Lockport area employers. Said permission is subject to Niagara County Employment & Training filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to arrange for the grass to be cut in the park prior to the event.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**071322.12**

By Alderman Kantor:

Resolved, that pursuant to their request, permission is hereby granted to the City of Lockport Youth and Recreation to barricade the south side of Outwater Drive in the park on Wednesday, July 27, 2022, from 10am until 12 noon for the 'Touch A Truck' event for the kids, and be it further

Resolved, that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

### **071322.13**

By Alderman Beakman:

Whereas, Niagara Falls Memorial Medical Center's P3 Center for Teens, Moms & Kids provides women and families with support and services to promote well-being; and

Whereas, the P3 Center offers a free, community event called, "Fresh Air Fridays" focusing on play to develop skills for early childhood; and

Whereas, "Fresh Air Fridays" is held at various Niagara County parks, and the P3 Center would like to use Dolan Park on August 12<sup>th</sup>, 2022 for such an event; and

Whereas, the theme is, "Basketball & Balls", with free packaged snacks and water for the kids; now, therefore, be it

Resolved, that pursuant to their request, the P3 Center is hereby granted permission to hold a free, community event at Dolan Park on Friday, August 12<sup>th</sup>, 2022 from 12 noon until 3:30pm, subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; and be it further

Resolved, that the P3 Center be granted permission to post lawn signs in city rights-of-way the week of the event, said signs to be removed by the P3 Center once the event is completed.

Seconded by Alderman Barnard and adopted. Ayes 6.

### **071322.14**

By Alderman Pasceri:

Whereas, Resolution 031517.3 granted permission for a project to place sand, palm trees, chairs and beach umbrellas on city property located at Nelson C. Goehle Wide Waters marina; and

Whereas, Resolution 080217.12 directed the City to maintain the project subject to NYS Canal Corporation rules and regulations; and

Whereas, Lockport Public Arts Council requests permission to authorize the construction of a large sand sculpture on the property during July, 2022; now, therefore, be it

Resolved, that pursuant to their request, Lockport Public Arts Council be and the same is hereby granted permission to authorize the construction of a sand sculpture on city property, located at Nelson C. Goehle Wide Waters marina, subject to NYS Canal Corporation rules and regulations; and be it further

Resolved, that permission is subject to Lockport Public Arts Council filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kantor and adopted. Ayes 6.

**071322.15**

By Alderman Pasceri:

Whereas, Harrison Place is completing exterior work on the façade of Building 4 at 190 Walnut Street; and

Whereas, it is necessary to close the adjacent sidewalk to make room for the equipment needed to complete the work; now, therefore, be it

Resolved, that pursuant to their request, permission is hereby granted Harrison Place to close off the section of sidewalk on the south side of Walnut, adjacent to 190 Walnut, for the duration of the façade work; and be it further

Resolved, that permission is subject to Harrison Place filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured; and be it further

Resolved, that the Director of Highways, Parks and Water Distribution be and the same is hereby authorized and directed to arrange for delivery of barricades.

Seconded by Alderman Fogle and adopted. Ayes 6.

**071322.16**

By Alderman Pasceri:

Resolved, that the Director of Highways, Parks and Water Distribution is hereby authorized and directed to sell via online auction, to the highest bidders, used Lockport Fire Department equipment, including a Honda hydraulic power plant, a Hurst Jaws of Life hydraulic cutter/spreader, a Hurst hydraulic cutter, two Hurst ram tools, two smoke ejector hangers, four Ferno operator stretchers, and a front center seat for a 2019 F-250; and be it further

Resolved, that the City Clerk is authorized and directed to advertise for same.

Seconded by Alderman Beakman and adopted. Ayes 6.

By Alderman Beakman:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Fogle and adopted. Ayes 6.

**071322.17**

By Alderman Devine:

Whereas, the City of Lockport (City), is seeking a grant for development of a Local Waterfront Redevelopment Plan (LWRP) and intends to submit via the New York Consolidated Funding Application (CFA) for said grant; and

Whereas, the City project cost estimate for the LWRP Project is \$100,000; and  
Whereas, the LWRP grant program through NYS Department of State (NYSDOS) is authorized to fund up to \$85,000 of the project cost; and

Whereas, Nussbaumer & Clarke, Inc. is authorized to prepare a grant application on behalf of the City via the CFA for the LWRP Project; and

Whereas, the Mayor is required to sign the grant application on behalf of the City as well as a Grant Agreement with the NYSDOS and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded; now, therefore, be it

Resolved, that the City authorizes and appropriates a minimum of 15% local match as required by the LWRP Grants Program. Under the LWRP, this local match must be at least 15% of the total project cost of \$100,000. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$15,000 subject to receipt of a LWRP grant and available funding. The total estimated maximum grant is \$85,000. The Mayor may increase this local match through the use of in-kind services without further approval from the City; and be it further

Resolved, that the Mayor is authorized to sign a grant application on behalf of the City via the CFA to the NYSDOS LWRP Program for the Project; and be it further

Resolved, that should a LWRP grant be awarded to the City, the Mayor is authorized to execute a Grant Agreement with the NYSDOS and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City's obligations under the Local Waterfront Revitalization Program through NYSDOS.

Seconded by Alderman Pasceri and adopted. Ayes 6.

By Alderman Beakman:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Devine and adopted. Ayes 6.

#### **071322.18**

By Alderman Beakman:

Whereas, the City of Lockport (City), is seeking a grant for the GIGP Streetscape Phase II project and intends to submit via the New York Green Innovation Grant Program (GIGP); and

Whereas, the City project cost estimate for the GIGP Streetscape Phase II Project is \$ 1,760,000; and

Whereas, the GIGP through NYS Environmental Facilities Corporation (NYSEFC) may fund up to 90% of the project cost or \$1,584,000; and

Whereas, Nussbaumer & Clarke, Inc. is authorized to prepare a grant application on behalf of the City via the CFA for the GIGP Streetscape Phase II Project; and

Whereas, the Mayor is required to sign the grant application on behalf of the as well as a Grant Agreement with the NYSEFC and any and all other contracts,

documents and instruments necessary to bring about the Project if a grant is awarded; now, therefore, be it

Resolved, that the City authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grants Program. Under the GIGP, this local match must be at least 10% of total project of \$1,760,000. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$176,000 subject to receipt of a GIGP grant and available funding. The total estimated maximum grant is \$1,584,000. The Mayor may increase this local match through the use of in-kind services without further approval from the City; and be it further

Resolved, that the Mayor is authorized to sign a grant application on behalf of the City to the NYSEFC Green Innovation Grants Program for the GIGP Streetscape Phase II Project; and be it further

Resolved, that should a GIGP grant be awarded to the City, the Mayor is authorized to execute a Grant Agreement with the NYSEFC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City's obligations under the Green Innovation Grants Program through NYSEFC.

Seconded by Alderman Devine and adopted. Ayes 6.

By Alderman Beakman:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Devine and adopted. Ayes 6.

### **071322.19**

By Alderman Devine:

Whereas, the City of Lockport (City), is seeking funding for the Gulf Interceptor Sewer Upgrades project and intends to submit a grant application via the New York Consolidated Funding Application (CFA) to Water Quality Improvement Project (WQIP) program through NYS Department of Environmental Conservation (NYSDEC); and

Whereas, the City's Consulting Engineer Nussbaumer & Clarke, Inc. (Nussbaumer) is authorized to prepare and submit a grant application on behalf of the City via the CFA for such project; and

Whereas, the City of Lockport has a project cost estimate of \$7,738,000 for the Gulf Interceptor Sewer Upgrades; and

Whereas, a WQIP Grant may fund up to \$4,642,800 of project costs; and

Whereas, the City's required match is intended to be funded by a Clean Water State Revolving Fund (CWSRF) hardship loan (0%) and Water Infrastructure Improvement Act (WIIA) Grant; and

Whereas, the Mayor is required to sign the grant application on behalf of the City as well as a Grant Agreement with the NYSDEC and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded; now, therefore, be it

Resolved, that the City authorizes and appropriates up to \$3,095,200 to be funded by a CWSRF hardship loan and WIIA Grant for the Gulf Interceptor Sewer

Upgrade project. The total estimated maximum WQIP Grant through NYSDEC is \$4,642,800. The Mayor may increase this local match through the use of in-kind services without further approval from the City; and be it further,

Resolved, that if a WQIP grant is awarded, the Mayor is hereby authorized to execute a Grant Agreement with the NYSDEC, pursue a CWSRF loan for any portion of the project not covered by the Grant, to authorize in-kind services as appropriate, and to execute any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Lockport's obligations under the Grant Agreement, subject to review and approval by counsel.

Seconded by Alderman Kantor and adopted. Ayes 6.

**071322.20**

By Alderman Fogle:

Whereas, pursuant to Section 61 of the City of Lockport Charter, when the Common Council has determined and so declared that real or personal property owned by the City of Lockport, New York, should be sold or conveyed for the interest of the City, the City of Lockport may sell and/or convey such personal or real property, for a valuable consideration, at public sale or by a negotiated private sale, and

Whereas, pursuant to Section 279-B of the City Charter no such sale shall be effective unless and until it has been reviewed by the City of Lockport Property Management Committee and has been approved and confirmed by a majority vote of the Common Council for sale or disposition by sealed bid; negotiated sale under provisions of the City's Best Use Policy; Homestead Policy; or negotiated sale; except that no such approval shall be required when the property is sold at public auction to the highest bidder, and

Whereas, the Real Property Management Committee met and determined that the following properties are not needed for municipal purposes, have little market value due to their irregular size and location and recommended that the properties be offered for sale to either the adjoining owners or other interested parties, and

Whereas, the following purchasers submitted a proposal offering to acquire each property for nominal consideration, and

Whereas, the City of Lockport desires to return said parcels to the tax rolls; now, therefore, be it

Resolved, that the Mayor be and is hereby authorized to enter into a Contract of Sale and execute a quit claim deed and related title documents necessary for the sale of the following properties to the following purchasers for nominal consideration.

<b>PARCEL ID</b>	<b>Address</b>	<b>Purchaser</b>
109.34-2-72	2 A Beverly Ave	Derrick L. Farmer

Seconded by Alderman Barnard and adopted. Ayes 6.

By Alderman Fogle:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Devine and adopted. Ayes 6.

**071322.21**

By Alderman Pasceri:

Whereas, the Greater Lockport Development Corporation (GLDC), conducted a public "Request for Projects," from City of Lockport commercial property owners who are interested in pursuing a renovation project utilizing New York State grant funds; and

Whereas, the purpose of which was to allow for an open, fair, and public project selection process, for consideration for such State-funded grant programs; and

Whereas, the GLDC received three submissions on behalf of city property owners to begin to develop a city-wide project list and prioritize potential projects to select from as various grant opportunities become available through the state; and

Whereas, the NYS Office of Homes and Community Renewal is offering a New York Main Street Grant program through the State's Consolidated Funding Application, including a "Downtown Stabilization" grant for properties needing grant funding for environmental remediation that is holding back the redevelopment of a downtown property; and

Whereas, Granchelli Development submitted 116 Main Street (F&M Building) for consideration of grant funding to pursue an approximately \$500,000 environmental and asbestos abatement project; and

Whereas; the redevelopment of the F&M Building was determined to be a public priority through an extensive public input process as part of the Downtown Revitalization Initiative local planning committee; and

Whereas; the Director of Planning and Development and GLDC staff have reviewed the New York Main Street "Downtown Stabilization" program and the submissions received and have determined that the proposed abatement project of the F&M Building is the most applicable and competitive project the Lockport community can put forth to be awarded funding and are requesting to submit a CFA application to the NYS Office of Homes and Community Renewal for an approximately \$375,000 grant; and

Whereas, Granchelli Development, if awarded funding, has committed to the 25% match requirement of approximately \$125,000 and to completing the project; now, therefore, be it

Resolved, that pursuant to their request, the Greater Lockport Development Corporation is hereby authorized to submit a New York Main Street grant through the 2022 NYS Consolidated Funding Application on behalf of a business and property owner in the City of Lockport, as identified by the GLDC, for the purpose of rehabilitation and renovation; and be it further

Resolved, that the City of Lockport and the Common Council supports this grant application, and should funding be awarded, will offer advisory consultation as necessary; and be it further

Resolved, that the Mayor is hereby authorized to execute any documentation required for the implementation of the grant program.

Seconded by Alderman Devine and adopted. Ayes 6

**071322.22**

By Alderman Devine:

Whereas, the City required the Niagara County Water district to supply 4,093,554 gallons of water at a rate of \$.90/1000 gallons for a total of \$3,684.20; and

Whereas, the unforeseen cost does not fit within the FY 2022 appropriated budget for the department and requires use of contingency funds; now, therefore, be it

Resolved, that the Common Council hereby amend the Water Fund budget to reflect this need:

Expenditures:		
Decrease		
FX.1900.54775	Contingency	\$3,684.20
Increase:		
FX.8330.54615	Supply of Water	\$3,684.20

Seconded by Alderman Kantor and adopted. Ayes 6.

**071322.23**

By Alderman Devine:

Whereas, the City of Lockport’s Water Filtration requests the purchase of filter media to replace current depleted resources; and

Whereas, the Department has compiled three (3) quotes for said replacement and has recommended the quote provided by Anthrafilter at a total of \$17,988; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby approves of the Mayor to enter into a contract with Anthrafilter and utilize funds in the H204 capital project (FX Infrastructure Improvements).

Seconded by Alderman Kantor and adopted. Ayes 6.

**071322.24 – Budget Amendment Re: IT Infrastructure purchase – WITHDRAWN**

**071322.25**

By Alderman Kantor:

Whereas, the City’s Police Department has expressed the need to purchase body cameras, an appropriation that was not included in their annual budget for FY 2022; and

Whereas, the Police Chief has identified a vendor, Axon Enterprise, Inc., whose hardware and software will fit within the needs of the City, for an FY 2022 cost of \$10,577; now, therefore, be it

Resolved, that the Common Council hereby amend the General Fund budget to reflect this need:

Expenditures:		
Decrease		
A.1900.54775	Contingency	\$10,577



Increase:  
A.3120.54515                      Special Supplies                      \$10,577

Seconded by Alderman Fogle and adopted. Ayes 6.

**071322.26**

By Alderman Kantor:

Whereas, Resolution 040721.8 (FY 2021 Budget Supplement #1) established a Park Revitalization Program (H206) in the Capital Budget with \$275,000 in available funding; and

Whereas, the Director of Highways, Parks, and Water Distribution has recommended proceeding with the purchase of pickle ball equipment for a total of \$1,397.95; now, therefore, be it

Resolved, that the City of Lockport Common Council hereby authorizes said purchases to be made from the H206 capital project.

Seconded by Alderman Fogle and adopted. Ayes 5. Alderman Pasceri voted no.

**071322.27**

By Alderman Pasceri:

Whereas, the Locks Heritage District Corporation and City of Lockport Wayfinding and Signage Project have requested placing new signs, and replacing old signs, throughout the City of Lockport along the Erie Canal and other tourism attractions in the City; and

Whereas, due to the requested sign placement being in the public right-of-way, the City should be the lead agency in this project; and

Whereas, the Locks Heritage District Corporation has completed a Short Environmental Assessment Form that the Council has reviewed; and

Whereas, the Locks Heritage District Corporation is requesting that the City review the Assessment Form and declare the project a Type 2 Impact (no to small impact); now, therefore, be it

Resolved, that the Council hereby permits the City to become the lead agency in the aforementioned project; and it is hereby further

Resolved, that the Council has reviewed the Short Environmental Assessment Form and is confident that the project will have minimal or no impact if effectuated as described, and hereby permits the Mayor to sign the Part 3 of the Short Environmental Assessment Form.

Seconded by Alderman Barnard and adopted. Ayes 6.

**071322.28**

**ADJOURNMENT**

At 7:30 P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, July 27, 2022.

Seconded by Alderman Fogle and adopted. Ayes 6.

PAUL K. OATES  
City Clerk

State of New York